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NOTIFICATIONS BY GOVERNMENT

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TRANSPORT, ROADS & BUILDINGS DEPARTMENT
(TR-I)

AMENDMENT TO THE ANDHRA PRADESH MOTOR VEHICLES RULES, 1989
BY INCORPORATING A NEW RULE 471 (A) - PROHIBITION AGAINST
RELEASE OF MOTOR VEHICLE INVOLVED IN ACCIDENT.

[G.O.Ms.No. 63, Transport, Roads & Buildings (TR-I), 29th November, 2018.]

PRELIMINARY NOTIFICATION

The following draft amendment to the Andhra Pradesh Motor Vehicles Rules, 1989 issued in G.O. Ms. No. 216, Transport Roads & Buildings (Tr.II) Department, dated 07.08.1989 and published at Pages 1-315 of the Rules Supplement part-I, Extraordinary Issue of the Andhra Pradesh Gazette dated 25.08.1989 and as subsequently amended from time to time, is proposed to be made in exercise of the powers conferred under Section 176 (e) of the Motor Vehicles Act, 1988 (Central Act No.59 of 1988) and is hereby published in the Andhra Pradesh Gazette for the general information of the public as required by sub-section (1) of Section 212 of the said act.

Notice, is hereby given that the said draft amendments will be taken into consideration by the Government after the expiry of fifteen (15) days from the date of publication of this notification in the Andhra Pradesh Gazette and any objections or suggestions, which may be received by the Government from any person with respect thereto before the expiry of the period specified will be taken into consideration by the Government of Andhra Pradesh.

The objections and suggestions, if any, should be addressed to the Special Chief Secretary to Government, Transport, Roads and Buildings Department, 5th Block, 1st floor, A.P. Secretariat, Velagapudi, Guntur district, in duplicate.

A copy of this order is available in internet and can be accessed at the address goir.ap.gov.in

AMENDMENT

After rule 471 of the said rules, the following rule shall be inserted namely, -

“471 (A) - Prohibition against release of motor vehicle involved in accident”:-

- (i) No court shall release a motor vehicle involved in an accident resulting in death or bodily injury or damage to property, when such vehicle is not covered by the policy of insurance against third party risks taken in the name of registered owner or when the registered owner fails to furnish copy of such insurance policy despite demand by investigating Police Officer, unless and until the registered owner furnishes sufficient security to the satisfaction of the Court to pay compensation that may be awarded in a claim case arising out of such accident.
- (ii) Where the motor vehicle is not covered by a policy of insurance against third party risks, or when registered owner of the motor vehicle fails to furnish copy of such policy in circumstance mentioned in sub-rule (i), the motor vehicle shall be sold off in public auction by the magistrate having jurisdiction over the area where accident occurred, on expiry of three months of the vehicle being taken in possession by the investigating Police Officer, and proceeds thereof shall be deposited with the Claims Tribunal having jurisdiction over the area in question, within fifteen days for purpose of satisfying the compensation that may have been awarded, or may be awarded in a claim case arising out of such accident.”

NEERABH KUMAR PRASAD,

Special Chief Secretary to Government.

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